

3-15-2012

# CORPORATIONS. ELIMINATES STATE CONSTITUTIONAL PROTECTIONS. INITIATIVE CONSTITUTIONAL AMENDMENT.

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**DEBRA BOWEN | SECRETARY OF STATE**  
**STATE OF CALIFORNIA | ELECTIONS**


1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | [www.sos.ca.gov](http://www.sos.ca.gov)

August 23, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum #12256

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: Failure of #1575, Related to Corporations

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures for the hereinafter named initiative constitutional amendment filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: CORPORATIONS. ELIMINATES STATE  
CONSTITUTIONAL PROTECTIONS. INITIATIVE  
CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: March 15, 2012

PROPONENT: Kyle L. Sison



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March 16, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum #12091

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: 1575, Related to Corporations

Pursuant to Elections Code section 9004 (c), we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**CORPORATIONS. ELIMINATES STATE CONSTITUTIONAL  
PROTECTIONS. INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Kyle L. Sison  
407 N. Exton Avenue  
Inglewood, CA 90302

#1575

**CORPORATIONS. ELIMINATES STATE CONSTITUTIONAL  
PROTECTIONS. INITIATIVE CONSTITUTIONAL AMENDMENT.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: ..... 807,615  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Thursday, 03/15/12
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elections Code § 336) ..... Thursday, 03/15/12
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elections Code §§ 9014, 9030(a)).....Monday, 08/13/12\*
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elections Code § 9030(b)).....Thursday, 08/23/12  
  
(If the Proponent files the petition with the county on a date prior to  
08/13/12, the county has eight working days from the filing of the petition  
to determine the total number of signatures affixed to the petition and to  
transmit the total to the Secretary of State) (Elections Code § 9030(b).)
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures  
and notifies the counties.....Saturday, 09/01/12\*\*
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(Elections Code § 9030(d) & (e)).....Wednesday, 10/17/12

\* Date adjusted for official deadline, which falls on a weekend (Elec. Code § 15).

\*\* Date varies based on the date of county receipt.

**INITIATIVE #1575**  
**Circulating and Filing Schedule continued**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 09/01/12, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elections Code § 9030(d) & (e).)

- f. If the signature count is more than 888,377 or less than 767,235 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 767,235 and 888,377 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elections Code § 9030(f) & (g); 9031(a)).....Saturday, 10/27/12\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elections Code § 9031(b) & (c)).....Wednesday, 12/12/12

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 10/27/12, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elections Code § 9031(b) & (c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elections Code §§ 9031(d), 9033). ...Sunday, 12/16/12\*

\*Date varies based on the date of county receipt.

## IMPORTANT POINTS

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- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code § 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code §§ 100, 101, 104, 9008, 9009, 9013, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

**KAMALA D. HARRIS**  
**Attorney General**

**State of California**  
**DEPARTMENT OF JUSTICE**



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March 15, 2012

The Honorable Debra Bowen  
Secretary of State  
Office of the Secretary of State  
1500 11th Street, 5th Floor  
Sacramento, CA 95814

Attention: Ms. Katherine Montgomery  
Elections Analyst

Dear Secretary Bowen:

Pursuant to Elections Code section 9004, you are hereby notified that on this day we sent our title and summary for the following proposed initiative to the proponent:

- 12-0003, "Corporations Are Not People Act"

A copy of that title and summary and text of the proposed initiative is enclosed. Please contact me if you have questions. Thank you.

Sincerely,

ASHLEY JOHANSSON  
Initiative Coordinator

For KAMALA D. HARRIS  
Attorney General

cc: Kyle L. Sison, Proponent

**FILED**  
In the office of the Secretary of State  
of the State of California

MAR 15 2012

VIA  
EMAIL

Debra Bowen, Secretary of State  
By Deputy Secretary of State



March 15, 2012  
Initiative 12-0003

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

**CORPORATIONS. ELIMINATES STATE CONSTITUTIONAL PROTECTIONS.**

**INITIATIVE CONSTITUTIONAL AMENDMENT.** Declares that corporations are not persons, thereby eliminating corporations' state constitutional protections. States that only human beings are valid and recognized people in California. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government:

**Probably no significant fiscal effect on state or local government. (12-0003)**



VIA MESSENGER

Office of the Attorney General  
ATTN: Dawn McFarland, Initiative Coordinator  
1300 I Street  
Sacramento, CA 95814

**RECEIVED**

JAN 24 2012

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

RE: Request to Prepare Title and Summary

I hereby request that the Attorney General prepare a title and summary of the chief purpose and points of the proposed measure attached: "Corporations Are Not People Act". Please find enclosed: a US Postal Money Order to the amount of \$200.00 payable to the State of California, my public contact information, and other personal statements including the statement required under Election Code Section 9608.

Thank you.

Sincerely,



Kyle L. Sison, Proponent  
407 N. Exton Avenue  
Inglewood, CA 90302

## Initiative Measure to be Submitted to Voters

This initiative measure is submitted to the people of California in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure expressly amends the California Constitution by adding a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

## PROPOSED LAW

### Corporations Are Not People Act

#### SECTION 1. TITLE

This measure shall be known and may be cited as the "Corporations Are Not People Act."

#### SECTION 2. FINDINGS AND DECLARATIONS

The People of the State of California hereby find and declare that:

1. Fair elections are essential to a healthy, thriving democracy, yet corporations distort California elections with massive spending on political ads which do not contribute to or enrich the political discourse.
2. Seeking fair elections, Californians have a compelling interest in preventing corruption in the political arena; the purity of which is endangered by corporate personhood. Candidates pursuing elected office are inescapably pressured by vast sums of money available from corporations to fund political campaigns, and in accepting these donations candidates are no greater endeared to actual people who actually vote - the citizens of California.
3. We deserve a democracy which is close to the needs of people, and we are rightfully concerned that candidates pursuing elected office, who accept money from corporations to fund their political campaigns, are not fully committed to honoring the needs of dignified people.
4. Corporate personhood is a legal fiction which devalues and is demeaning to human life. Human beings are inherently degraded to a lesser status than is tolerably appropriate so long as corporations are allowed to pose as people and enjoy the same rights which real people possess.

#### SECTION 3. PURPOSE AND INTENT

It is the express purpose of this measure to define legal "person" in California by doing the following:

(1) Deny that corporations are people entitled to the constitutional rights of a person in California.

(2) Affirm that only human beings are people entitled to the constitutional rights of a person in California.

Section 4. Section 7.1 is added to Article I of the California Constitution, to read:

*SEC. 7.1. (a) Only human beings are valid and recognized people in California.*

*(b) A corporation is not a person, and corporations are not due constitutional rights which human beings are naturally due.*

#### SECTION 5. SEVERABILITY

The provisions of this Act are severable. If any provision of this Act, or part thereof, is held invalid that finding shall not affect other provisions that can be given effect without the invalid provision.